

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

PETER ROUSSEAU,

CASE NO. 23-5554 RJB-DWC

Plaintiff,

V.

POLICE
DEPARTMENT, et. al.,

ORDER ON REPORT AND RECOMMENDATION

Defendants.

This matter comes before the Court on the Report and Recommendation of U.S. Magistrate Judge David W. Christel. Dkt. 5. The Court has considered the Report and Recommendation, the Plaintiff's objections to the Report and Recommendation, and remaining file.

On June 21, 2023, the Plaintiff filed an application to proceed *in forma pauperis* (“IFP”) and a proposed civil complaint. Dkts. 1-1 and 1. The court reviewed the proposed civil complaint and notified the Plaintiff of several deficiencies. Dkt. 3. He was given an opportunity to file a proposed amended complaint (Dkt. 3) which he did (Dkt. 4). On August 21, 2023, the

1 Report and Recommendation was filed. Dkt. 5. It recommends denying the Plaintiff's IFP
2 application and dismissing the case without prejudice. *Id.*

3 The Report and Recommendation (Dkt. 5) should be adopted. The Plaintiff's objections
4 do not provide a basis to reject the Report and Recommendation. The Plaintiff's objection, that
5 several of the parties (e.g. judges and lawyers involved in various criminal and civil matters
6 regarding the Plaintiff) are not immune from suit in the circumstances here, is without merit. He
7 fails to point to any authority to support his contentions. While he maintains that not all his
8 claims are barred by the statute of limitations, he does not point to any particular event which
9 occurred within the allowable timeframe. Further, he does not address the recommendation that
10 the Court find that he has failed to state a claim upon which relief can be granted. The Plaintiff
11 was notified of several deficiencies in his complaint and his attempt at re-pleading his case was
12 unavailing. The Plaintiff's IFP application should be denied and his case dismissed without
13 prejudice.

14 It is **ORDERED** that:

15 • The Report and Recommendation (Dkt. 5) **IS ADOPTED**;

16 • The Plaintiff's Application to proceed IFP (Dkt. 1) **IS DENIED**; and

17 • This case **IS DISMISSED WITHOUT PREJUDICE**.

18 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
19 to any party appearing pro se at said party's last known address.

20 Dated this 27th day of September, 2023.

21 
22

23 ROBERT J. BRYAN
24 United States District Judge